

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF INDIANA  
LAFAYETTE DIVISION

MARY DOE and NANCY ROE, )  
Plaintiffs )  
v. ) Cause No. 4:18-cv-00089-JEM  
PURDUE UNIVERSITY and )  
ALYSSA ROLLOCK )  
and KATIE SERMERSHEIM, in their official )  
in their official and individual capacities )  
Defendants. )

**PLAINTIFF'S ADDITIONAL PROPOSED JURY INSTRUCTION**

Plaintiff, Nancy Roe, by counsel, submits Plaintiff's Additional Proposed Jury Instruction to conform to the evidence admitted at trial and rulings of the Court. Plaintiff respectfully request leave to withdraw, modify, or supplement these proposed instructions.

**Plaintiff's Proposed Final Instruction Number 22**

**(Title IX Retaliation – Good Faith Belief)**

Plaintiff need not prevail on her Title IX discrimination claim or have opposed an action that in fact violated Title IX to win her retaliation claim. Instead, Plaintiff must prove that she had a good faith belief that she was the victim of sexual assault and reported this to university officials.

**Authority:** *Burton v. Bd. of Regents of Univ. of Wis. Sys.*, 851 F.3d 690, 695 (7th Cir. 2017)(stating that both Title VII and Title IX allow plaintiffs to bring causes of action for retaliation and that the elements of those claims are the same); *Tate v. Executive Management Services, Inc.*, 546 F.3d 528, 532 (7th Cir. 2008)(holding plaintiff need not prevail on her Title VII discrimination claim or have opposed an action that in fact violated Title VII to win a retaliation claim); Seventh Circuit Pattern Civil Instruction No. 3.02 at Comment C – Good Faith Belief.

Given: \_\_\_\_\_  
Not Given: \_\_\_\_\_  
Given as Modified: \_\_\_\_\_  
Withdrawn: \_\_\_\_\_

Respectfully submitted,

/s/ Jeffrey A. Macey  
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Attorney for Plaintiff

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing Response was served on all counsel of record via operation of the Court's electronic filing system on September 22, 2022.

/s/ Jeffrey A. Macey  
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